IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

-

WRIT PETITION NO : 23462 of 2004

Between:

N. Anuradha W/o Ravindra Babu
R/o Thimmapuram Village, Edlapadu Mandal, Guntur District

... PETITIONER

AND

1 The Joint Collector, Guntur, Guntur District
2 Revenue Divisional Officer, Narasaraopet, Guntur

District
3 The Mandal Revenue Officer, Edlapadu Mandal, Guntur

District

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any Writ, order or direction more particularly one in the nature of Writ of mandamus declaring the action of the 1st respondent in rejecting the stay petition of the petitioner vide order dated 2-12-2004 and in not disposing of the appeal pending before him in Appeal No. 60/2004-S7, which was file against the order of suspension passed by the 2nd respondent in Rc. No. 2072/2004-B dated 3-11-2004 is illegal, arbitrary improper and against the principles of natural justice and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.K.SRINIVAS

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following :

ORDER:

The authorization of the petitioner was suspended by the second respondent through proceedings, dated 03.11.2004. The allegation against the petitioner is that she is not running the fair price shop, and on the other hand, it is being looked after by her husband. Certain discrepancies are also pointed out. The petitioner preferred an appeal before the first respondent together with an application for stay. Through order, dated 02.12.2004, the first respondent refused to grant stay. Hence this writ petition.

2. Heard learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

3. The petitioner availed the remedy of appeal aggrieved by the order of suspension passed by the second respondent. Except stating that the application for stay is rejected, the first respondent did not state any reasons therefor. Though an elaborate discussion is not required at this stage, a semblance of reasoning is expected from the first respondent before rejecting the request of the petitioner for granting stay.

4. The petitioner is not accused of any serious irregularities. It was on the basis of certain observations in a surprise visit by the M.R.O.,that the suspension was ordered. The truth or otherwise of these allegations needs to be considered at the enquiry to be held by the second respondent. The first respondent has already called for the record.

5. Hence, the writ petition is disposed of directing that the order of suspension passed against the petitioner shall remain stayed, till the first respondent disposes the appeal. There shall be no order as to costs.

L.NARASIMHA REDDY, J

Dated : 22.12.2004

Note:- Issue C.C in three days.

(B/o)

RAR/TS

To

1 The Joint Collector, Guntur, Guntur District
2 Revenue Divisional Officer, Narasaraopet, Guntur

District

3 The Mandal Revenue Officer, Edlapadu Mandal, Guntur

District

4 2 CCs to G.P for Civil Supplies, High Court Buildings,

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